

TO RESIST ORDER OF LOWER COURT

Believed That Virginia Will
Thus Take Rate Case
Up Sooner.

WILL GO TO SUPREME COURT

Under Terms of Constitution,
Judge Pritchard's Jurisdic-
tion Is Denied.

BY WALTER EDWARD HARRIS.

WASHINGTON, D. C., July 31.—While sentiment so far as developed here outside of strictly official circles is overwhelmingly with Virginia and North Carolina in their fight with the Federal court over the enforcement of passenger rate legislation and orders, and this without reference to the justice of the order or act of the Legislature, there is a doubt entertained as to the wisdom and correctness of the position taken by the State authorities of North Carolina, and the Corporation Commission of Virginia at the outset.

A distinguished lawyer of this city said to-day that the Corporation Commission of Virginia, in his opinion, should have denied from the start the authority of Judge Pritchard to hale it into court at Asheville when the motion for a permanent injunction against the commission's publishing the two-cent fare order was argued. In the same way, North Carolina, through her officials, should have obtained at once an order from the Supreme Court, restraining Judge Pritchard's court from taking jurisdiction, and compelling the cases against the railroad agents to be heard in the Supreme Court of the United States. This view is based on section 2, of Article III, of the Federal Constitution, which says:

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction."

The view is taken by the lawyer mentioned above that the cases in North Carolina were in fact cases against the State. He contends that there is not the slightest doubt that the case against the Corporation Commission is a case against the State of Virginia, and that the Supreme Court of the United States has original jurisdiction, and sole jurisdiction.

According to this view the Virginia Corporation Commission would have been justified in simply ignoring the proceedings in the lower Federal court, and in the case of Judge Pritchard's marshals sought to enforce the order, restraining the commission from publishing its order for lower rates, to have got an order from one of the justices of the Supreme Court, restraining the inferior Judge from further proceeding, on the ground that he was without jurisdiction.

Decided Cases Cited.
Several Federal cases appear to sustain the view outlined. In *Ames vs. M. H. H. S. Mr. Chief Justice Waite*, delivering the opinion of the court, said:

"With respect to States, it is provided that the jurisdiction should be exclusive in all controversies of a civil nature where a State was a party, except between a State and its citizens, and except, also, between a State and citizens of other States, or aliens, in which latter case its jurisdiction should be original, but not exclusive. The original jurisdiction of the Supreme Court was made concurrent with any other court to which jurisdiction might be given in suits between a State and citizens of other States, or aliens."

No jurisdiction was given in such cases to any other court in the United States, and the practical effect of the enactment of the Judiciary Act of 1789, was to give the Supreme Court exclusive original jurisdiction in suits begun against a State without its consent, and to allow the State to sue for itself in an inferior court that could entertain its case."

In another place in the same case, Chief Justice Waite says:

"The Judiciary Act was passed on the 24th day of September, 1789, and at the April term, 1793, the Circuit Court of the United States for the District of Pennsylvania, an indictment was found against Rava, a consul from Genoa, for a misdemeanor in sending anonymous and threatening letters to the British minister and others, with a view to extort money. Objection was made to the jurisdiction for the reason that the exclusive cognizance of the case belonged to the thought that, for obvious reasons of fiscal character of the defendant. The court was held by Wilson and Iredell. The Supreme Court, in an indictment in the District Court, Mr. Justice Wilson, who had been a member of the convention that framed the Constitution, was of the opinion that the Constitution vests in the Supreme Court an original jurisdiction in cases like the present, it does not preclude the Legislature from exercising the power of vesting a concurrent jurisdiction in such inferior courts as might be lawfully established."

It is true, Mr. Justice Iredell held that, for obvious reasons of public policy, the Constitution intended to vest exclusive jurisdiction in the Supreme Court in all questions relating to the public agents of foreign agents. Besides, the context of the Judiciary article of the Constitution seems fairly to justify the interpretation.

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The Mecklenburg great waters sell best where they are best known. 1. Because they have merit. 2. Because they positively cure Dyspepsia, Rheumatism, Kidney and Bladder Troubles, Catarrh, Chronic Malaria, Poisoning, Scrofulous and Glandular Enlargements in Tubercular Joint and Bone Diseases and all Skin Diseases. We have them in all parts of the United States, from which guests have visited "The Mecklenburg" and to this day we are going to reduce the rates at The Mecklenburg Hotel, so all may come and test these waters for themselves, for to know them is to drink them, and to drink them is to be cured.

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Third floor, without bath, \$12.50 to \$15.00, according to size of room and number of occupants.
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Clubhouse Annex, with bath, \$12.50 to \$15.00 per week.
Barnett Hotel Annex, without bath, \$10.00 to \$12.00.

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Mecklenburg Waters for Sale everywhere. Cuisine and service the best in the South.

FOUNDATION LAID FOR PALACE OF PEACE



PEACE PALACE AND L. M. CORDONNIER, ITS DESIGNER.
The foundation stone was laid with great ceremony by President Neildorf.

This design for Andrew Carnegie's "Palace of Peace" is a splendidly executed conception, in the style of the chateaux of Northern France. The main building is flanked by high towers, two of which are at either end of the facade. The chief feature of the interior will be a magnificent hall of arbitration. Two hundred and seventy architects from almost every country in the world entered the competition for designs for the Palace of Peace, and no less than 3,033 drawings were submitted. M. Cordonnier, of Lisle, won first prize in the contest with his drawing, which is reproduced above.

EIGHT TIMES AS LARGE AS BROOKLYN BRIDGE

\$50,000,000 and the Most Stupendous Engineering Problem of Modern Times.

The magnitude of the projected Hudson River bridge does not at first strike the unthinking person; but when it does strike it comes with a breathless, aerial significance. It will be the eighth wonder of the world, and the eyes of foreign engineers are turned to New York with expectancy.

The plans of the new structure are practically those of the original North River project. It was a long step from a 1,700-foot span (then and still the longest in the world) to over 3,000 feet, the distance to be covered between the piers on either side of the broad Hudson. To make a bridge almost double the length of the Brooklyn bridge meant building the towers nearly twice as high and, in order to allow for additional roadways and tracks the bridge of double length must be also twice as wide. Thus the proposition involved was really very much more than building a bridge with a double-length span for three dimensions had to be considered, making the entire structure nearly eight times as large as the Brooklyn bridge.

At first other engineers were loath to believe that modern materials made possible so great a bridge. But the entire profession is now agreed that the bridge is possible and practicable; and their estimates of construction cost vary between \$35,000,000 and \$50,000,000, depending upon the number of tracks and the carrying capacity designated. These figures do not include the cost of approaches or of right-of-way.

It is an astonishing feat that is contemplated, this of suspending between steel towers, distant more than half a mile, eight great railway tracks and four driveways, says Charles H. Cochran, in the New Broadway Journal for July. As a triumph of engineering the work will have no equal. There will be four stupendous towers at the piers, each suggesting in appearance the celebrated Eiffel tower. These four towers will be about 300 feet from foundation-stones to top. They will carry the eight mammoth steel cables that will curve gracefully across the noble Hudson and support the two-deck, steel-truss bridge 140 feet wide, clude the cost of four hundred thousand persons in one hour, without undue crowding.

Mr. Hobson.

Even those persons who entertain the sanest possible sympathy for the bellicose views and tendencies of Richmond Pearson Hobson will be compelled to admit that his impetuosity is at least engaging. Indiscreet as it is his habit to be, there are nevertheless certain spontaneous and erratic qualities about this eager young statesman which are distinctly fascinating.

That he is given to extremes no one will attempt to deny. That was demonstrated in the temerity which he displayed in the Merrimac incident at Santiago; and while the country has forgiven his innocent excesses when he was swinging around the quarter circle, it has not forgotten them. They are recalled now, not by way of censure, but merely as throwing a side light on his extensible and rash attitude in respect to the relations between the United States and Japan.

In truth, the whole affair may be properly dismissed with the prevalent comment, "It's only Hobson." Japan may not quite see into this, but it is so well understood in America as to dispel all fear of diplomatic entanglement through the interferences of Alabama's irrepressible statesman and hero.

An insistent clamor for war with Japan by a Congressman of the United States might, as an abstract proposition, be looked upon as the source of mischief and fruitful of danger, but not when the Congressman is Hobson.—Kansas City Star.

Hot Weather Dangers.

This is the season of hot weather advice, and rules of conduct for the heated term generally begin with the word "Don't." In its news columns The American recently presented some seasonable advice from the head of the city health board. The summary of the admonition for adults is: "Don't eat too much, don't drink too much that is ardent, don't exert yourself too vigorously in the broiling sun. In short, take a reasonable care of yourself. Trite and commonplace as this sort of advice may seem, most of the ills of the summer time would be avoided if it were strictly followed."

When the temperature reaches up toward 90 in the shade the results are disastrous to humanity in the infantile stage of existence. The statement made by Dr. Bosley to the effect that out of the total number of infants under 2 years of age that died in Baltimore last year, amounting all told to 638, 281 many as 291 died during the months of July and August, indicate the

terrible havoc which hot weather plays with the babies.

Impure milk is regarded as the chief cause of infantile mortality. In New York City two or three philanthropists have established stations where pasteurized milk may be bought for infants. There is a need in Baltimore for such a philanthropic movement. Modern medical science is directing its inquiries largely to preventive methods, and there can be no doubt that the death rate can be lowered by a more general philanthropic endeavor to save the babies. It is a field of endeavor that is not as yet by any means overworked.—Baltimore American.

Our Deficient Automobile Law.

There is evident need of reform in the automobile laws of the State of Rhode Island; eventually there will, in all probability, be something at least approaching uniformity in the automobile laws of all the States, with proper allowances for the different demands of different conditions in the several States. In the matter of speed limits it is evident that there cannot be a uniform law in all the States, any more than there can be a uniform speed limit in all sections of a single State. Laws covering the ordinary rights of the road, and protecting the ordinary law-abiding driver of a horse (likewise the law-abiding, non-scurrying automobilist), should and could be passed by every State, and made so closely in mutual accord that the automobilist traveling from State to State could have no excuse for ignorance.

The lack in Rhode Island, for example, is brought out by two serious cases, which the newly organized Safe Roads Automobile Association has had to consider. In each of which the automobile crashed into the rear of a vehicle going in the same direction and occupying the right side of the road. Under the law of Rhode Island there is no way to force the revocation of these reckless automobilist's licenses, as there should be, and as there is in this State, under the "reckless driving" provision of the statutes. There must be as large a proportion of law-abiding automobilists in Rhode Island as in this State; why can they not take State courses on the Safe Roads Association and bring their influence to bear on the State Legislature for the bringing of their automobile laws up-to-date?—Boston Advertiser.

OBITUARY.

Funeral of Mr. O'Brien.
The funeral of Mr. Richard O'Brien, who died in the Martha Washington

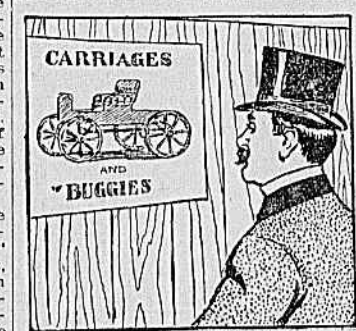
Tutt's Pills

After eating, persons of a bilious habit will derive great benefit by taking one of these pills. If you have been

DRINKING TOO MUCH, they will promptly relieve the nausea.

SICK HEADACHE and nervousness which follows, restore the appetite and remove gloomy feelings. Elegantly sugar coated.

Take No Substitute.



Overstocked—summer bargains in Surreys, Runabouts, Cut-Under Go-Aheads, Buggies, Phaetons, etc., in high-grade goods, at prices that are cheap, cheap, cheap, at

Bristow and Moore's

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Harness in fine assortment, Rubber Tires, and repairs in all branches,

Hospital, in Fredericksburg, on Monday, as the result of injuries sustained in a wreck on the Richmond, Fredericksburg and Potomac Railroad several days before, took place at 5 o'clock yesterday afternoon from St. Andrew's Episcopal Church. The attendance was very large and the numerous and beautiful floral tributes were a testimonial to the worth and popularity of Mr. O'Brien. The interment was made in Hollywood, the following gentlemen acting as pall-bearers:

Active—A. M. Breelin, W. T. Bryant, George Hooper, John Toler Isaac Hutzler, John Hargrave, John Hall, R. W. Carter.
Honorary—Warren Taylor, C. W. Culp, W. Gallows, Moses Hutzler, James R. Sheppard, James Bowman, Charles Hutzler, C. E. Hill.
Mr. O'Brien was a native of Tipperary county, Ireland, but came to this country when he was about four years of age. He had spent practically his entire life in Richmond, and for nearly thirty years was employed by the Richmond, Fredericksburg and Potomac railway, by the management of which he was held in high esteem. The wreck which resulted in his own death, was his first in all the long period during which he had been running trains. Mr. O'Brien, whose brothers, Mr. John O'Brien, a prominent citizen of Manchester, died eight months ago, was a prominent Mason, Shriner and Knight Templar and held membership in a number of other orders. He was buried with high Masonic honors.

As a citizen Mr. O'Brien was well known and esteemed by hundreds of Richmond people, who were greatly shocked to hear of his death. He leaves his widow and two children, Mrs. William O'Brien, of Richmond, and Mrs. C. E. Hogan, of Charlottesville.

Frederick L. Riggin.
[Special to The Times-Dispatch.]
POWERS, Va., July 31.—Mr. Frederick Luther Riggin, son of Mr. Hance L. Riggin, of this place, died at his home Saturday night at 12 o'clock after a brief illness of two weeks with typhoid fever. There are many sad things connected with the death of this young man.

He was only seventeen years of age, and recently graduated from Smith-deal Business College, of Richmond. He at once accepted a position with Williams and Goode, bankers of Boynton, Va., and was in their employ at the time of his death.

He arrived at his home on the 14th, for two weeks' vacation, and to attend the Jamestown Exposition, but did not leave his home and was returned to Boynton on the day of his burial.

The funeral was held at Emmaus Baptist Church Sunday afternoon. In the presence of a large and sorrowful crowd ever gathered there. Rev. W. R. Keefe, of Hampton, Va., his former pastor, officiating. Mother, father, and others saw the sisters are left to mourn their loss.

Gabrielle B. Shields.

[Special to The Times-Dispatch.]
WINCHESTER, Va., July 31.—Accorded to privately, a messenger received here Gabrielle Bonist Shields died yesterday at his home in Natchez, Miss., after a lingering illness, aged twenty-seven years. He was the son of W. H. Shields and grandson of the late John Randolph Tucker, the eminent Virginia statesman, of Winchester. He was a graduate of Washington and Lee University law school, Lexington, Va. He leaves his father and brother, Dr. Randolph Tucker, of Winchester, and a sister, Mrs. Shields, of Winchester. He was a member of the Southern Presbyterian Church.

Captain John Montgomery Thomas.
[Special to The Times-Dispatch.]
BLACKSBURG, Va., July 31.—The funeral of the late Captain John Montgomery Thomas, who died in Christiansburg, at the residence of his daughter, Miss Minnie Thomas, Sunday, took place here yesterday. The service was conducted at the grave by the Rev. W. H. Joyce, assisted by the Rev. Edward E. Lane. An account of the very inclement weather and the uncertainty of the hour at which the service would be held, only a few of his lifelong neighbors and friends were able to be present.

Ambrose Borton Rothgeb.
[Special to The Times-Dispatch.]
WINCHESTER, Va., July 31.—Following a protracted sickness, Ambrose Borton Rothgeb, a prominent farmer of Stephens City, died last evening, aged sixty-eight years, leaving his widow, three sons and one daughter. He was a native of Page county, Va. During the Civil War he left college, joined the Confederate artillery and his left arm was shot during the Seven Days' Fight Around Richmond.

J. H. Walsh.
[Special to The Times-Dispatch.]
ROCKINGHAM, N. C., July 31.—Mr. J. H. Walsh, at one time county agent of Stephens City, and for many years editor of the Richmond Headlight, published here, was buried at East Side cemetery Monday. He was about seventy years old, and had many friends in this county.

Robert Moore.
[Special to The Times-Dispatch.]
CHATHAM, July 31.—Mr. Robert Moore died at his home in Pittsview, his county Sunday following a short illness. He was fifty-four years old, and had spent the greater part of his life in this county. Five sons and three daughters survive him, most of whom are married. The interment was in the family burying ground Monday afternoon.

Mrs. Sarah Smith.
[Special to The Times-Dispatch.]
FREDERICKSBURG, Va., July 31.—Mrs. Sarah Smith, widow of late P. M. Smith, died yesterday at her home near Hardensburg, in Spotsylvania county, after a brief illness, aged sixty-two years.

DEATHS.

MONROE.—Died, July 31st, at 8:14 P. M., at her parents' residence, No. 1405 West Clay Street, NANNIE LOUISE, infant daughter of Lewis P. and Alma M. Monroe, aged five months and sixteen days.
Funeral notice later.



News from the Linen Section

Do you go to the seashore or mountain resort during the month of August? If so, you will want the necessary accessories to make your visit entirely pleasant.

Towels are one of the delights of the bath—that is, those of the right kind. We have them in Cotton and Linen, Turkish Bath and in Huck, of medium and large size. Also, smaller and cheaper ones for the home and children's room.

We have culled from our Summer Lap Robes 10 or 12 good ones, but not selling as fast as others, and marked them at half price—some as low as 25c. Better buy one of these, or of those superior all-linen ones at \$1.00, and keep free from dust when driving.

We continue to show our usual fine variety of Linens of all kinds—Table, Dress, Hand-drawn and Embroidery—all at prices much lower than those prevailing now.

NO MONEY IN CRIME.

Burglars and Pickpockets Especially Make a Poor Living.

B. Franklin was right about honesty, at least partly. Honesty may not be the most paying investment, but it is the safest, and most conservative, and dishonesty in the individual does not pay.

I have talked with one hundred and forty-two known and confessed dishonest men in prison, and forty dishonest men who are not arrested, and with three exceptions, not one of them said that he could make as much money by dishonesty as by working steadily. Many asked for time to remember some dishonestly secured, and later, after figuring it out, were as frankly surprised at the showing as any one could be.

"H—!" said one, "I'm a bank robber and earning less in three years than the bookkeepers in the banks." If that man ever reforms (he is serving twelve years) it will be because he figures that the game does not pay.

Train robbery is the most remunerative form of dishonesty. Shoplifting is fairly remunerative, burglary pays less than the other three, and the hold-up man makes less money than the laborer at one dollar a day. Every story was the same—long planning,

weeks of poverty and scheming, and then, even when successful, only a month's wages for a decent working man.

The police estimate of the average earnings of these house burglars is even lower. There are listed (with the Chicago police about nine hundred known burglars, and if they got full value for all the stuff stolen from Chicago houses during the year they would not make eighty dollars a year each. True, most of these men "work the outside," but even if the Chicago robbers stole everything stolen in Illinois during the year they would not make a decent living.

In fact, to make money robbing houses a man requires such a high order of intelligence and cunning that he would be tempted to burglary only by absolute knowledge that some large sum of cash was in a certain place. The great majority of burglars are boys under seventeen years of age, misled by tales of great gain.

Picking pockets not only is a dangerous business, requiring a lot of dexterity and special training and involving the maximum danger of arrest, but the pickpocket in every rogue's gallery in the country, informed me that during two-thirds of her time she could not make enough money to support herself at picking pockets, and was forced to resort to vice to earn a livelihood.—Chicago Tribune.



Since Moving Into Our New Store

We have had specials every week. In doing this we have given the public the best values that money could buy, as nearly every article was sold at or below cost. Commencing Monday, we will sell

100 Matting Rugs, 36x72, at 55c.

1 3-Piece Green Hall or Porch Set, that sold for \$45, now \$31.98.

1 2-Piece Hall or Porch Set, that sold for \$17.75, now \$13.89.

1 2-Piece Hall or Porch Set, that sold for \$13, now \$10.48.

1 3-Piece Birch Set, highly polished, best cane seat and back, that sold for \$30, now \$18.98.

All \$2, \$2.50 and \$3 Porch Chairs and Rockers now \$1.98.

\$6 Go-Carts, rattan and reed, rubber tires, steel or wood handles, \$3.98.

\$8 Go-Carts, rattan and reed, rubber tires, steel or wood handles, \$4.98.

\$10 Go-Carts, rattan and reed, rubber tires, steel or wood handles, \$5.98.

\$12 Go-Carts, rattan and reed, rubber tires, steel or wood handles, \$7.98.

A visit to our store will convince you that we can show you more styles in CHAMBER, DINING-ROOM, LIBRARY and PARLOR SUITS ever displayed in Richmond, and at such low prices that will astound you.

Chamber Suits, \$16.20 up.

Dining-Room Suits (six chairs, table, sideboard and china case), \$37.50 up.

Parlor Suit, \$15.00 up.

Library Suit (in genuine leather), \$45.00 up.

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20% off on All Grocery Refrigerators.